

BOARD REPORT
CITY OF LOS ANGELES
DEPARTMENT OF TRANSPORTATION

Item #9

Date: June 11, 2009 A

To: Board of Transportation Commissioners

Subject: REPEAL OF BOARD ORDER 456 – REGULATION OF NON-MOTORIZED VEHICLES IN THE CITY OF LOS ANGELES AND TENTATIVE ADOPTION OF BOARD ORDER 594 – ESTABLISHING THE RULES AND REGULATION OF PEDICAB VEHICLES

RECOMMENDATION

- a. That your Board **FIND** that in the past there has been vehicle service in the form of human powered pedicabs operating in the City in the past and that such services were regulated by the Department;
- b. That your Board **FIND** that there is renewed interest in providing pedicab vehicle service in the form of human-powered and power-assisted pedicabs to the population of the City which necessitates the revision and updating of current pedicab vehicle regulation in order to safeguard the riding public;
- c. That your Board **FIND** that facilitating pedicabs as an energy efficient alternative mode of circulation in activity centers is consistent with the City's initiatives to reduce carbon emissions and the carbon footprint according to the Mayor's Green L.A. Action Plan of May 2007.
- d. That your Board **FIND** that Board Order 456, which was created and approved by the Board on September 11, 1986, does not include regulation for power-assisted pedicabs and therefore has become obsolete and no longer serves the best interests of the City and the public;
- e. That your Board **FIND** that after considering the evidence, it would best to serve the interests of the citizens and riding public of the City for the Board to repeal Board Order 456 and adopt Board Order 594 pertaining to the permitting and regulation of pedicab vehicles.

INTRODUCTION

In 2007, there was renewed interest in the use of pedicabs to transport passengers within the City of Los Angeles. Multiple companies have submitted applications to provide this service to the public.

Currently, some companies wishing to initiate pedicab service have indicated the desire to use power-assisted pedicabs. Department staff, in consideration of these applications, found that the

existing regulations contained in Board Order 456 are inadequate and no longer address the new characteristics of current pedicabs operations.

DISCUSSION

In the mid 1980's, the Department became aware that private companies were providing pedicab passenger service, to the public in the Westwood and Venice areas of Los Angeles. At the time of this discovery, there existed no regulations pertaining to such service. In order protect the riding public and provide regulation, Board Order 456 was adopted by the Board of Transportation Commissioners on September 11, 1986.

The aim of adopting Board Order 456 was to regulate the existing pedicab services that were operating in the Westwood and the Venice Beach areas of the City in order to control traffic and safeguard the health and safety of the citizens who were using the service. However, by the end of the 1980s most pedicab service within the City had been discontinued, and by 1992 the last pedicabs had ceased operation.

On October 9, 2007, Community Redevelopment Agency of the City of Los Angeles (CRA/LA) received notice of approval for the Downtown L.A. Green Transit Modes Trial Program – a grant of \$760,000 from the Los Angeles County Metropolitan Transportation Authority (MTA) as part of its 2007 Call for Projects, currently under consideration by the MTA. At the heart of the demonstration project, if funded, would be the introduction of pedicabs to Downtown Los Angeles, and, in particular, power assisted pedicabs.

The demonstration project is budgeted for \$950,000 (\$760,000 grant from MTA) and includes the purchase of pedicab vehicles, operational assistance and documentation of operational benefits and issues. The grant is for 3 years, the first year involves defining operating plans, franchise areas, selection and purchase of vehicles. The second and third years would involve the lease of the vehicles to vendors (at reduced rates), marketing of the service, and the review and analysis of the actual demonstration period. The outcome will be a sustainable business model for continued application of this service as a mobility option.

The objective of the demonstration project is to encourage pedestrian activity in downtown Los Angeles by providing non-traditional transit technologies as the “last mile” connection to transit

connections. The intention is to complement the existing DASH service in downtown Los Angeles with carbon free alternatives modes such as pedicab and battery powered assisted pedicabs. CRA/LA's proposed scope of work for the project would be to work with LADOT as follows:

1. Work with Downtown Stakeholders to define a service area within Downtown LA;
2. Determine streets on which the pedicabs would be allowed;
3. Designate appropriate pick up and drop off areas;
4. Designate hours of operation of pedicab vehicles;
5. Detail desirable pedicab operational and safety characteristics;
6. Purchase demonstration vehicles;
7. Arrange for storage locations of purchased vehicles;

8. Solicit proposals and select vendors for operation of the vehicles; and
9. Market the program to maximize rider ship; and
10. Monitor the program, suggesting changes in regulations as needed and report on steps necessary to sustain the program beyond the demonstration project.

CRA/LA has selected a consultant, Transportation Management Services (TMS) to assist in the above mentioned work program. In support to this program, TMS has completed an initial report on the state of pedicab service and regulation in Selected American Cities: Austin, Phoenix, Denver and San Diego. Each of these cities has recently adopted regulations for pedicabs. The report is attached for your information.

In addition, LADOT and CRA/LA staff directly contacted City of San Diego staff involved in the regulation of pedicabs. San Diego staff came to Los Angeles and answered a number of questions regarding the current status of their pedicab program.

Notwithstanding the demonstration project, there have been recent requests by private operators to initiate pedicab services in other parts of Los Angeles. Since the regulations have not been updated since 1986, a number of amendments to Board Order 456 have been proposed by staff to update the current expectations and characteristics of pedicab transportation services and to best serve the interests of its citizens and the riding public.

Staff, in consideration of the applications has found that existing regulations, per Board Order 456 are no longer adequate to address the new characteristics of the current pedicabs operation, therefore recommends that Board Order 456 be rescinded and Board Order 594 be adopted.

Board Order 594 addresses these changes that have occurred since the original pedicab companies operated. These changes include:

- Refining the definition of a pedicab.
- Establishing uniform regulations.
- Establishing driver permit requirements.
- Updating the safety requirements for both the passengers and the operator.
- Bringing the company and vehicle requirements into line with all other regulated passenger transportation within the City.
- Establishing a violation and monetary penalty assessment schedule that is in line with Board order 580 and all successor Board Orders.

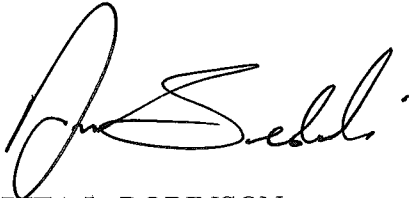
CONCLUSION

In order to establish proper control of traffic, vehicle regulations and to better ensure passenger safety it is staff's recommendation that the Board repeal Board Order 456 and adopt Board Order 594.

If the MTA does not fund the pilot project, the Department reserves the right to proceed with the processing of the pedicabs applications. Department staff believe that proposed Board order 594 provides the necessary safety rules and regulations for pedicabs operation in the City.

If the Pilot project is funded by MTA, to better assess and protect the safety of the riding public and the interests of the City of Los Angeles, the Department reserves the right to make necessary adjustments and to re-evaluate, revise, and amend the operation of pedicab services during the course of the project demonstration period.

Upon completion of the pilot project (if funded) the Department would like to modify the Board Order 594 based on the pilot project findings and recommendations.



For RITA L. ROBINSON
General Manager

DATE SIGNED: 06/04/2009

DJM/pab

B08-033.pab

BOARD ORDER ~~456~~ 594 (REVISED)

BOARD OF TRANSPORTATION COMMISSIONERS

CITY OF LOS ANGELES

(All new additions designated by underlining)

WHEREAS, the City Council, by adopting modifications to Section 71.00 of the Los Angeles Municipal Code, has authorized the Board to establish rules and regulations for the operation of pedicab vehicles; and

~~WHEREAS, several pedicab operators are currently providing unregulated service in the Westwood area and other areas of the City; and~~

WHEREAS, proper control of traffic and the health and safety of the public requires that certain rules for permitting and regulating the extent of pedicabs service be established;

NOW THEREFORE, BE IT RESOLVED, that the following filing and operational rules and regulations for human powered and power assisted pedicab service shall be applied:

SECTION I. Application for Pedicab Vehicle Permit

- A. Applications shall be submitted on Department forms only and shall contain the following information:
 - 1. Name, address and telephone number of the applicant.
 - 2. Name of the business.
 - 3. Business address and telephone number.
 - 4. Email address and/or website, if available
 - 5. Authorized representatives.
 - 6. Number of vehicle permits requested.
 - 7. Manufacturers identification numbers of all vehicles.
 - 8. Unit numbers of all vehicles
- B. A non-refundable application fee of \$196.00 per vehicle plus a \$39.00 decal fee for each vehicle shall be submitted with the application.
- C. The applicant must submit to a Department of Justice Criminal Background Check for all majority owners, management officials and supervisors at the time of application. Any majority owners, management officials and supervisors with criminal history listed in Board Order 530 Sections A1, C1, C3, C4 or Board Order 547, or successor rules, shall be disqualified. A non-refundable fingerprint

processing fee in the amount specified in Section 71.06.1, which is in addition to the application processing fee, shall accompany the application

- D. The applicant shall submit a suitable map showing the specific area or areas and streets of the City where the proposed service is to be provided. The map shall also indicate the number of vehicles, vehicle staging areas, the days of the week and the hours of operation for the vehicles proposed for each area. DOT will review, investigate, and approve the route, vehicle staging and hours of operations.
- E. All applications shall be investigated by the Department prior to the Department making its recommendation to the Board. The investigation will include input from representatives of the Council District Office, Police Department and District Traffic Engineer, an examination of the applicant's background, and shall consider the extent of the service proposed, the impact of the proposed service on local businesses and traffic congestion in the area, the hours of operation and the number of existing vehicles already permitted to serve such area.
- F. The Board shall hold a public hearing on the application. At such hearing the applicant must appear and may present evidence and/or testimony in support of the application.

SECTION II Minimum Requirements

- A. Pedicab – Non-Motorized – each vehicle ~~must~~ shall be equipped with:
 - 1. A headlight of sufficient intensity to reveal a person or vehicle at a distance of not less than 100 feet when the vehicle is operating at any speed less than 25 mph, and a distance of not less than 200 feet when operated at a speed of 25 mph or more.
 - 2. A unique serial number (Indicia), assigned by the Department, and permanently stamped onto the crossbar portion of the bicycle. The serial number shall also be stamped onto a metal tag or small plate that shall be permanently affixed to the passenger body of the pedicab. Such numbers shall be clearly legible in normal daylight from a distance of 5 feet.
 - 3. A disc brake system on the rear wheels and a “V” brake on the front. The brakes shall be capable of locking at least two wheels and stopping a vehicle traveling up to 20 mph without pulling a loaded vehicle to either side.
 - 4. A parking brake capable of being applied separately from the main braking system. The parking brake shall be such that the vehicle remains stationary under all conditions of loading on any grade upon which the vehicle is operated.

5. Stop lamps, two (2) tail lights that are red in color, and turn signal indicator lights. Turn signal lights shall produce a flashing white or amber light that is visible and understandable in normal daylight and from a distance of at least 300 feet to the front and rear of the vehicle during nighttime use.
6. Rear view mirrors mounted on the bicycle and so located as to reflect to the driver a view of the highway for a distance of 200 feet to the rear of the vehicle.
7. Universal "Slow Moving Vehicle" sign, as described in Section 24615 of the California Vehicle Code, permanently attached to the rear of the vehicle.
8. Rear and side reflex reflectors.
9. A properly displayed license plate. Proof of registration shall be carried within the vehicle at all times while in use.
10. Adequate, secure seating for the driver that is permanent in nature.
11. Separate, permanently attached seating that is secure and adequate for all passengers over 60 pounds or 4 years of age.
12. Seat belts for every passenger over the age of 4 years or weighing 60 pounds or more
13. A horn, in good working condition capable of emitting a sound audible, under normal conditions, from a distance of not less than 200 feet.
14. Signs or trademark indicating the operator's name and telephone number (minimum 1 1/2" lettering, and a the vehicle's unit number (minimum 3" lettering) to be permanently displayed on both sides and the rear of the vehicle in sharp contrast to the background color of the vehicle, and in such a manner that it is readily legible during daylight hours for a minimum distance of 50 feet.
15. Vehicles shall be equipped with safety helmets of a sufficient number and size range to accommodate all passengers. Helmets shall be equipped with straps and of sufficient size that it fits securely on all passengers' heads without allowing excessive lateral or vertical movement.
16. A permanently affixed rate card listing all applicable rates, posted so as to be clearly visible to all potential passengers.

A power-assisted pedicab shall be as defined, and consistent with, under Section 406 of the California Vehicle Code for Motorized Bicycle in that it shall consist of any two-wheeled or three-wheeled device having fully operational pedals for propulsion by human power, or having no pedals if powered solely by electrical energy, and an automatic transmission and a motor which produces less than 2 gross brake horsepower and is capable of propelling the device at a maximum speed of no more than 30 miles per hour on level ground. A "motorized bicycle" is also a device that has fully operational pedals for propulsion by human power and has an electric motor that meets all of the following requirements:

- (1) Has a power output of not more than 1,000 watts.

(2) Is incapable of propelling the device at a speed of more than 20 miles per hour on ground level.

(3) Is incapable of further increasing the speed of the device when human power is used to propel the motorized bicycle faster than 20 miles per hour.

B. Vehicle – Power-Assisted – each vehicle shall be equipped with all the requirements of the non-motorized vehicles in addition to:

1. An automatic transmission.
2. Shall display a special license plate as required in Section 5030 of the California Vehicle Code. The license plate shall be affixed on the exterior of the vehicle in such a manner as to be readily visible at all times.
3. A motor that has a maximum speed of not more than 20 mph **if powered solely by electrics.**
4. A motor capable of a maximum speed of not more than 20 mph if powered by fully operational pedals and assisted by an electric motor
5. Shall be equipped with an electric motor only, that produces no more than 2 gross brake horsepower. The motor shall have a power output of not more than 1,000 watts and shall be designed to disengage or cease to function when the brakes are applied, or operates in a manner such that the motor is engaged through a switch or mechanism that, when released, will cause the electric motor to disengage or cease to function.

NOTE: Pedicab, as referenced in this Board Order, whether power assisted or not, shall not include “ConferenceBikes” or “Partybikes”, or any pedicabs constructed so as to allow passengers to sit in a circular pattern and which requires the passengers to pedal the vehicle. “Conferencebikes” by their very design and lack of safety features do not comply with the requirements of this Board Order.

C. Insurance - Operators must provide evidence of liability insurance in a form acceptable to the City Attorney, conforming to the requirements of the City’s special endorsement form, in the minimum amount of:

For bodily injury or death to one person \$1,000,000.00

D. All vehicles and drivers must comply with all requirements of the Los Angeles Municipal Code and the State of California, as they apply to the operation of power-assisted bicycles and non-motorized pedicabs.

E. All operators must comply with Worker’s Compensation laws, as they apply.

F. Every operator shall provide its drivers with a copy of Board Order 594 and a written Driver’s Statement which lists the terms of duties and responsibilities of both parties as stated in Section III, Subsection A. The statement shall be dated and signed by both the driver and an authorized representative of the operator and

shall state any benefits provided by the operator. If no benefits are provided for workers, i.e., worker compensation, social security, unemployment insurance and/or medical insurance, the statement shall clearly state so. The form of the agreement shall be subject to the approval of the Department within 30 days of submittal.

- G. All pedicabs, whether power-assisted or not, must comply with Divisions L, M, N, and U of Chapter VIII of the Los Angeles Municipal Code relative to parking restrictions applicable to vehicles.

SECTION III Operation of Vehicle

- A. Operators and Drivers are jointly and severally responsible for complying with all Board rules and regulations pertaining to pedicab service. Operators are further responsible for the compliance of their drivers. A demonstrated lack of compliance with the Board rules and regulations may, after proper notice and opportunity to be heard, lead to a temporary or permanent suspension of operating rights. Such penalty may involve a monetary penalty, according to a schedule approved by the Board of Transportation Commissioners, or possible revocation of operator permits.

- B. All vehicles shall be maintained and operated in a safe manner. All vehicles shall at all times be maintained by the company, in an acceptable appearance and state of repair and safe operation condition. All vehicles shall be subject to inspection by the Department through its Chief Transportation Investigator.

Any vehicle not in compliance with the minimum requirements will be cited and placed Immediately-out-of-Service. Any vehicle which has been so removed from service shall not be returned to service until such vehicle has been approved by and through the Chief Transportation Investigator.

- C. The Department, by and through the Chief Transportation Investigator, shall inspect all franchised and permitted vehicles on a yearly basis and maintenance records quarterly.

- D. The operator shall be responsible for supervising the operation of all permitted vehicles in its fleet. For any company consisting of 10 or more permitted vehicles, a representative of the company shall be assigned to supervision of operations at all times and must be available for contact by other drivers and/or Department staff during the approved hours of operation and shall not be located more than 10 minutes away from the service area. Said representative may be a driver, however, the representative shall wear a badge on the front of his/her outermost garment, clearly visible at all times, indicating "SUPERVISOR" in minimum 3/8 inch high black letters on a white background.

Any operator who permits or allows its driver to accumulate an excessive cumulative number of driver violations will be directed to appear before the Board to show cause why its authority to operate should not be suspended or revoked as provided in Section 71.09 of the Los Angeles Municipal Code.

- E. A driver shall hold a valid Driver's License issued by the State of California Department of Motor Vehicles.
- F. A driver shall have in his/her immediate possession a valid California Driver's License while in charge of or driving a pedicab and shall present the license upon request.
- G. All vehicles shall be operated by a City-permitted driver. Driver shall, at all times while on duty have in his/her possession a current Driver's Permit issued by the Department and shall present the permit upon request.
- H. When not in use, pedicabs shall not be stored on any public street.
- I. With the exception of a 10 minute break, pedicabs may not, at any time, park on any sidewalk, whether the vehicle is blocking access or not. While engaged in any break the pedicab shall, at all times, be parked legally.
- J. So as to ensure the continued safety of the riding public and the Department, staff shall reserve the right to restrict, amend, re-evaluate and/or terminate, on an as-needed basis, the operation of any pedicab, including but not limited to, hours of operation, routes, staging areas, loading and off loading zones equipment issues, and all other facets of the operation of non-motorized vehicles.
- K. Drivers must obey all traffic laws and Order of the Board and:
 - 1. Driver shall not play or allow the playing of any amplified sound equipment.
 - 2. Driver shall operate only in the areas specified on the Operator Permit.
 - 3. Driver shall operate only on the days and hours specified on the Operator Permit.
 - 4. Driver shall pick up and drop off passengers along curbs only, comply with all parking restrictions and prohibitions, and only park or stop in appropriate curb zones. Driver shall not drop off passengers in an unsafe area or in an unsafe manner.
 - 5. Driver must be attired in a shirt with sleeves, and a collar, pants or shorts (no sweat pants) with a belt and black shoes (no open toe shoes or sandals). Keep wording as it appears here.
 - 6. Driver shall not smoke while transporting a fare, consume alcoholic beverages while on duty, or drive under the influence of any alcoholic beverage or drug which may impair driving ability.

7. Driver may not congregate with other drivers on any street with the exception of designated off-street locations.
8. Driver must be a minimum of 18 years old and must possess a valid California Class "C" Driver License.
9. Driver applicants will be fingerprinted for a criminal record check. All driver applicants must be in compliance with Board Order 530 and 547, or their successors, prior to being issued a permit.
10. Driver shall safety check his/her vehicle before each work shift.
11. Driver shall provide passengers with a written receipt upon request.
12. Driver shall not exceed the seating capacity of the vehicle.
13. Driver shall not operate the vehicle on public sidewalks.
14. Driver shall not refuse service except under the following conditions:
 - a. Passenger is under the influence of intoxicating liquor or drugs, a disorderly person, or a person who may cause the vehicle to become stained or evil smelling.
 - b. Passenger requires the use of a litter or stretcher.
 - c. Passenger is unable, upon request, to show an ability to pay the fare.
 - d. Passenger refuses to wear, or properly secure, a helmet.
15. Driver shall not refuse to transport, in the vehicle, any passenger's personal luggage, possessions, wheelchairs which can be folded up and placed in the passenger or other compartment, groceries or packages when accompanied by a passenger, small pets in carriers or a guide or service dog for a disabled person.
16. At no time shall a pedicab operator or driver transport, in any permitted pedicab, more passengers than there are proper seating for except that passengers weighing 40 pounds or less may be seated on the lap of a passenger who occupies a permanently affixed seat, and at no time shall the operator and/or driver allow any passenger to ride in any area of the pedicab that was not specifically designed as a seat.
17. Driver shall not discriminate against any passenger or group or class of passengers requesting service except as provided under the provisions listed in (14) above.
18. No driver, while on duty, or in possession of a permitted pedicab, shall personally use, possess, obtain, purchase, or supply to any other person any alcoholic beverage, drug, contraband substance, or paraphernalia.
19. Drivers, while on duty, shall not leave unattended any permitted pedicab.

20. Driver shall give to every passenger a legible, properly filled out receipt indicating the company name and telephone number, the vehicle unit number, driver's name and permit number, the cost of the trip and the address of the Department of Transportation with a note that all complaints regarding rates and/or service may be directed to the City of Los Angeles Department of Transportation.

SECTION IV Rates to be charged

- A. The Department will not regulate the rates charged for any pedicabs service, however, each operator must file and maintain with the Department a current rate card which lists the maximum rates to be charged for services provided.
- B. Drivers shall present every passenger with a copy of the rate card. The rate card shall also contain the telephone number of the company and the telephone number and address of the Department of Transportation with a note that all complaints regarding rates and/or service may be directed to the City of Los Angeles Department of Transportation, 100 S. Main Street, Los Angeles, California 90012. The rate card shall include the following text, in a minimum 18 point font: "Fare to be agreed upon per passenger prior to hire."
- C. A current, valid rate card shall be permanently affixed to both sides of the vehicle. The rate card shall be approved by the Department prior to being displayed on the pedicab. The rate card shall be professionally printed in lettering not less than 8 ½" in width x 6" in height in a letters in sharp contrast to the background and shall be clearly visible and legible during daylight hours from a distance of 50 feet and shall clearly list all applicable rates. The rate card shall consist of the following text:

RATE SCHEDULE – shall be in all capital lettering with a minimum font size of 18

PER PERSON – shall be in all capital lettering with a minimum font size of 36.

RATES CHARGED – The rate card shall also contain the telephone number of the company and the telephone number and address of the Department of Transportation with a note that all complaints regarding rates and/or service may be directed to the City of Los Angeles Department of Transportation, 100 S. Main Street, Los Angeles, California 90012. The rate card shall include the following text, in a minimum 18 point font: "Fare to be agreed upon per passenger prior to hire." Rates shall not be discriminatory, and the rate posted shall apply to all categories of passengers.

D. Rates shall not be discriminatory, and the rate posted shall apply to all categories of passengers.

E. All rates shall be negotiated with the passengers PRIOR to hire. Passengers must agree to the rate prior to entering the vehicle.

SECTION V Schedule of Penalties

Failure of a driver to comply with City regulations may result in a monetary penalty or suspension of his/her Driver's Permit. Monetary penalties shall be assessed in accordance with Board Order 580 or any successor orders. The minimum suspension of a Driver's Permit is based on the applicant's past 12-month violation record, involving similar offenses, as indicated below. A driver may appeal a suspension to, (in order), the Senior Transportation Investigator, Chief Transportation Investigator and Division Engineer. If the driver is still not satisfied he/she may request, in writing, a Board Hearing on the matter. The driver's entire (pedicab rules) violation record shall be considered during the appeal process and may affect the amount of the monetary penalty or the length of suspension offered.

SCHEDULE OF PENALTIES

(Used in conjunction with existing department rules and regulations)

MINIMUM COMPANY AND DRIVER PERMIT
PENALTIES

<u>No</u> <u>Violation</u>	<u>Number of Violations in Previous 12 Months</u>		
	<u>1st</u>	<u>2nd</u>	<u>3rd</u>
1. Company Violations			
a. <u>Using an unpermitted vehicle to pick up or attempt to pick up passengers in the City:</u>	<u>\$500</u>	<u>\$750</u>	<u>\$1,000</u>
b. <u>Authorizing a person without a valid driver's permit issued by the Department to pick up or attempt to pick up passengers in the City:</u>	<u>\$500</u>	<u>\$750</u>	<u>\$1,000</u>
c. Authorizing an individual to drive a permitted vehicle without a valid California Driver License:	<u>\$500</u>	<u>\$1,000</u>	<u>Operator Revocation Note 1</u>

MINIMUM COMPANY AND DRIVER PERMIT
PENALTIES

No	<u>Violation</u>	<u>Number of Violations in Previous 12 Months</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
1.	Company Violations			
	d. <u>Failure to pay annual vehicle permit renewal fees by the due date:</u>	<u>\$100</u>	<u>\$200</u>	<u>\$300</u>
	e. <u>Failure to submit requested financial and statistical and/or operational reports when requested:</u>	<u>\$300</u>	<u>\$4000</u>	<u>\$500</u>
	f. <u>Failure to allow the Department reasonable access to company records:</u>	<u>\$500</u>	<u>\$500</u>	<u>\$500</u>
	g. <u>Submitting required or requested documentation that is inaccurate, misleading or incomplete:</u>	<u>\$300</u>	<u>\$400</u>	<u>\$500</u>
	h. <u>Fraudulent reporting of any required or requested information, including tampering of any files, data or reports:</u>	<u>\$500</u>	<u>\$1,000</u>	<u>\$3,000</u>
	i. <u>Failure to maintain City required insurance on file with the Department, lapse of insurance coverage even if the coverage documentation and policy are later adjusted to full coverage duration, or late submission of insurance documentation to the Department</u>	<u>\$300</u> <u>Note 1</u>	<u>\$400</u> <u>Note 1</u>	<u>\$500</u> <u>Note 1</u>
	j. <u>Failure to surrender vehicle decals to the Department:</u>	<u>\$250</u>	<u>\$250</u>	<u>\$250</u>
	k. <u>Failure to comply with any other rule or regulation in any Board Order and successor regulations:</u>	<u>\$300</u>	<u>\$400</u>	<u>\$500</u>

MINIMUM COMPANY AND DRIVER PERMIT
PENALTIES

<u>No</u>	<u>Violation</u>	<u>Number of Violations in Previous 12 Months</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
2.	Driver Violations			
a.	<u>Picking up or attempting to pick up passengers in a non-taxi vehicle-for-hire in the City without a current valid California Driver License:</u>	<u>\$100</u> <u>Note 2</u>	<u>\$300</u> <u>Note 3</u>	<u>\$500</u> <u>Note 4</u>
b.	<u>Picking up or attempting to pick up passengers in a non-taxi vehicle-for-hire in the City without a valid, current Department issued Driver Permit:</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$100</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$100</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$100</u>
b.	<u>Suspended California Driver License:</u>	Revocation		
c.	<u>Operating a permitted vehicle without having a valid California Driver License in his/her possession:</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$100</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$300</u>	<u>Immediately</u> <u>Out of Service</u> <u>Plus</u> <u>\$500</u>
d.	<u>Failure to comply with any rule or regulation contained in Board Order 362, 456, or successor regulations:</u>	<u>\$25</u>	<u>\$50</u>	<u>\$100</u>
e.	<u>Failure to provide a legible properly filled out, and accurate receipt as required by Board Order 594 or its successor:</u>	<u>\$50</u>	<u>\$100</u>	<u>\$200</u>
f.	<u>Acting in any manner that endangers the health and well being of a passenger:</u>	<u>\$500</u> <u>Note 2</u>	<u>\$1,000</u> <u>Note 3</u>	<u>\$2,000</u> <u>Note 4</u>
g.	<u>Any time a driver's application is found to be willfully and intentionally falsified, or a Department issued permit has been altered so as to be misleading:</u>	<u>Permit</u> <u>Cancellation</u> <u>Note 2</u>	<u>Permit</u> <u>Cancellation</u> <u>Note 4</u>	<u>Permit</u> <u>Cancellation</u> <u>Note 4</u>

MINIMUM COMPANY AND DRIVER PERMIT
PENALTIES

<u>No</u>	<u>Violation</u>	<u>Number of Violations in Previous 12 Months</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
2.	Driver Violations			
h.	Unauthorized use of a Driver Permit:	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$25</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$50</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$100</u>
i.	Knowingly allowing the unauthorized use of a Driver Permit:	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$25</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>Revocation</u>	
j.	Apply for or possession of additional Driver Permit:	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$25</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>Revocation</u>	
3.	Failure to Comply with traffic or operating rules (herein):	<u>\$25</u>	<u>\$50</u>	<u>\$100</u>
4.	Commission of an unlawful act:			
	a. Committing a felony	Revocation		
	b. Pandering	Revocation		
	c. Immoral Acts	Revocation		
	d. Assault and Battery	Revocation		
	e. Reckless Driving	Revocation		
	f. Drunk Driving	Revocation		
	g. Continuous Police Record	Revocation		
5.	Unlawful act while in charge of a permitted vehicle	Varies		
6.	On Duty while under the influence of alcohol or drugs	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>Revocation</u>		

MINIMUM COMPANY AND DRIVER PERMIT
PENALTIES

<u>No</u>	<u>Violation</u>	<u>Number of Violations in Previous 12 Months</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
2.	Driver Violations			
7.	Drinking, in possession of, or liquor alcohol or drugs, or selling alcoholic beverages while on duty:	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$500</u> <u>Note 2</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$1,000</u> <u>Note 3</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>Revocation</u> <u>Note 4</u>
8.	Possession of, or giving providing information on <u>acquiring</u> illegal drugs:	Revocation		
9.	Solicitation, procuring <u>for the purposes of</u> prostitution:	Revocation		
10.	Failure to perform safety check on vehicle:	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$25</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$50</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$100</u>
11.	Driving <u>a</u> vehicle which is in an unsafe operating condition:	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$25</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$50</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>Revocation</u>
12.	Vehicle Maintenance:			
	a) Failure to maintain vehicle:	<u>Immediately</u> <u>Out Of Service</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus \$25</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus \$50</u>
	b) Performing routine Maintenance in Loading Zone	<u>\$25</u>	<u>\$50</u>	<u>\$100</u>
13.	Failure to present a neat personal appearance:	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$25</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$50</u>	<u>Immediately</u> <u>Out Of Service</u> <u>Plus</u> <u>\$100</u>

MINIMUM COMPANY AND DRIVER PERMIT
PENALTIES

<u>No</u>	<u>Violation</u>	<u>Number of Violations in Previous 12 Months</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
2.	Driver Violations			
14.	Discourtesy:	Varies		
15.	<u>Unattended vehicle in Loading Zone:</u>	<u>\$25</u>	<u>\$50</u>	<u>\$100</u>
16.	Illegal Pick up of Passenger outside of service area:	<u>\$25</u>	<u>\$50</u>	Revocation
17.	Illegal Solicitation of Patronage:	<u>\$25</u>	<u>\$50</u>	<u>\$100</u>
18.	Refusal of Service:	<u>\$25</u>	<u>\$50</u>	Revocation
19.	Discharging a passenger at other than the desired destination within the service area without reasonable cause:	<u>\$500</u>	<u>\$1,000</u>	Revocation
20.	Accepting additional passengers without approval of passenger:	<u>\$25</u>	<u>\$50</u>	<u>\$100</u>
21.	Overcharge:	<u>\$25</u>	<u>\$50</u>	Revocation
22.	Refusal to transport:			
	a) Luggage, or possessions:	<u>\$25</u>	<u>\$50</u>	\$100
	b) Guide or Service Animal:	<u>\$25</u>	<u>\$50</u>	\$100 plus Revocation
23.	Failure to Immediately turn in found property:	<u>\$25</u>	<u>\$50</u>	Revocation
24.	Failure to provide:			
	a) Receipt upon request:	<u>\$25</u>	<u>\$50</u>	Revocation
	b) Willfully providing a fraudulent receipt:	<u>\$25</u>	<u>\$50</u>	Revocation

MINIMUM COMPANY AND DRIVER PERMIT
PENALTIES

No	Violation	<u>Number of Violations in Previous 12 Months</u>		
		<u>1st</u>	<u>2nd</u>	<u>3rd</u>
2.	Driver Violations			
25.	Smoking with a passenger in the vehicle:	<u>\$25</u>	<u>\$50</u>	<u>\$100</u>
26.	Failure to obey an official of the Department of Transportation or City elected or appointed Official:	Immediately Out Of Service Plus <u>\$25</u>	Immediately Out Of Service Plus <u>\$50</u>	Immediately Out Of Service Plus Revocation
27.	Refusal to sign Hearing Notice:	Immediately Out Of Service Plus <u>\$25</u>	Immediately Out Of Service Plus <u>\$50</u>	Immediately Out Of Service Plus Revocation
28.	Playing any amplified sound in the vehicle:	Immediately Out Of Service Plus <u>\$25</u>	Immediately Out Of Service Plus <u>\$50</u>	Immediately Out Of Service Plus Revocation
29.	Operating or storing a vehicle on the sidewalk:	Immediately Out Of Service Plus <u>\$25</u>	Immediately Out Of Service Plus <u>\$50</u>	Immediately Out Of Service Plus \$100
30.	Transporting passengers without providing adequate seating:	Immediately Out Of Service Plus <u>\$500</u> <u>Note 2</u>	Immediately Out Of Service Plus <u>\$1,000</u> <u>Note 3</u>	Immediately Out Of Service Plus Revocation Note 4
31.	Failure to provide:			
	a) Helmets for passengers:	<u>\$500</u> Note 2	<u>\$1,000</u> Note 3	Revocation Note 4
	b) Transporting passengers without properly secured helmets or seatbelt	<u>\$500</u> <u>Note 2</u>	<u>\$1,000</u> <u>Note 3</u>	Revocation <u>Note 4</u>

MINIMUM COMPANY AND DRIVER PERMIT
PENALTIES

No	Violation	Number of Violations in Previous 12 Months		
		1 st	2 nd	3 rd
2.	Driver Violations			
32.	Operating a pedicab on a street with a posted speed limit above 25 miles per hour:	\$500 <u>Note 2</u>	\$1,000 <u>Note 3</u>	Revocation <u>Note 4</u>
33.	Violations of Divisions L, M, N, or U or any portion of Chapter VIII of the Los Angeles Municipal Code:	\$25	\$50	\$100

NOTES

- 1) The Department may recommend that the Board revoke all existing company permits and impose a one-year probationary period where no further requests for permits will be accepted.
- 2) The Department may cancel the driver permit and impose a one-year probationary period where no further requests for a driver permit will be accepted.
- 3) The Department may cancel the driver permit and impose a two-year probationary period where no further requests for a driver permit will be accepted.
- 4) The Department may cancel the driver permit and impose a three-year probationary period where no further requests for a driver permit will be accepted.

I HEREBY CERTIFY THAT the foregoing Resolution, designated as Board Order 456, was finally approved by the Board of Transportation Commissioners at its meeting held on

Dated at Los Angeles, California this Day of 200_.

BY ORDER OF THE BOARD

ATTEST _____

Board of Transportation Commissioners
City of Los Angeles



Characteristics of Pedicab Programs in Selected American Cities

This document reviews the experience of selected cities in the United States with the development of pedicab services to provide guidance in creating the Downtown Los Angeles Green Transit Alternative Modes Program. The experiences of four cities, Austin, Phoenix, Denver, and San Diego, were researched as these cities possess development patterns, pedestrian and vehicle movement characteristics, and infrastructure that resemble, in part, conditions in Los Angeles that will need to be addressed in designing an effective pedicab program.

Austin

Pedicabs emerged in Austin along with the growth of pedestrian and bicycle travel in higher density activity centers, as residents sought out environmentally compatible transportation. City leaders developed regulations governing operation in recognition of public safety concerns associated with the operation of commercial bicycle vehicles on public right-of-ways, including the adoption of a "Non-Motorized Vehicle" ordinance to manage pedicabs and horse-drawn carriages in 1992. Approximately 100 pedicab vehicles operate primarily in residential areas of Austin's Central Business District (CBD) and Entertainment District.

Operations and Regulations

The City of Austin, Department of Public Works-Transportation Division, regulates the operation of pedicabs. Key provisions of the City's oversight include:

- Pedicabs are allowed to operate from 8:00 am to 4:00 am, but are not allowed to operate during morning and evening peak travel periods or from 11:00 am to 1:00 pm in order to minimize conflicts with motor vehicles.
- Pedicabs are limited to operating within the CBD. Pedicab service owners must designate roadways they would like to utilize, times that service will be available, and off-street locations for loading and unloading passengers. Pedicabs are also allowed to use alleyways when safe. Applications must be approved by the City before operation can begin.
- Pedicabs are required to follow the same laws as motorized vehicle drivers. Pedicab drivers must obtain a chauffeur's license, have a clean criminal record, and pass a written exam. Pedicab operators must charge either a flat rate or an hourly rate. Vehicles are required to pass a vehicle inspection and maintain minimum insurance, as required by the City.
- Fee schedules must be posted inside the cab if a rate is charged. If the cab operates on tips only, a sign must clearly state that that is the case on the inside of the vehicle. Most pedicab



companies in Austin do not pay drivers an hourly rate. Usually, companies lease the vehicles to drivers that pay a leasing and operations fee to operate the vehicle, and operate on tips alone.

- Pedicab companies must attend mandatory meetings held by the City in the event that regulations change or are amended.
- The City of Austin recognizes that the development of pedicabs needs to respond to changing conditions. The City considers and implements changes to policy on a case by case basis and has been helping to grow the pedicab program to respond to market conditions. For example, the City informs companies of changes to policy, test runs these changes, and evaluates the effect of the change. For example, pedicab drivers expressed an interest in being allowed to operate during peak hours. Restrictions on hours of operations were lifted to accommodate to the interest. Upon the trial period, it was concluded that operating during peak hours was not profitable to drivers, so there are currently few to no drivers operating pedicabs during these times. Thus hours of operation remain the same.
- Pedicabs are restricted to roadways of less than 35 mph and must use the far right roadway lane. Drivers must stay to the far right of the roadway or in bike lanes as marked on one-lane/one-way roadways.
- There are no regulations on the use of tricycle versus rickshaw style vehicles. Safety studies have shown both to be just as safe as the other. The City of Austin does not, however, permit the use of electric assists due to the nature of regulations on pedicabs being “non-motorized” vehicles.

A copy of Austin’s ordinance and permit application can be found in **Appendix A**.

Success Factors

- Younger population: Almost 30% of Austin’s urban population is between the ages of 18 and 34, making it the youngest metropolitan city in the country.¹ This demographic has contributed to the rapid growth in the use of bicycles for all trip purposes, especially among young professionals moving to downtown Austin.
- Strong Pedicab support network: Pedicabs have been implemented successfully with the support of a strong alliance among pedicab operators. The Austin Pedicab Alliance hosts a

¹ Business First of Columbus, June 6, 2008 <<http://columbus.bizjournals.com/columbus/stories/2008/06/09/story17.html>>



web blog that is updated daily with information and facts serving the pedicab industry in Austin and elsewhere.

- Effective privately-conducted and city-promoted marketing tactics: The City of Austin and the downtown Business Improvement District (BID) market pedicabs effectively in the transportation sections of their websites and publications. For example, www.downtownaustin.com has a subsection under the "Getting Around" section of their website that specifically identifies "Taxis/Pedicabs" as a means of transportation. Additionally, many pedicab blogs and travel/tourism websites promote pedicabs as a fun way to see the City. Pedicab company websites feature people enjoying urban activities while using pedicabs. One operator's website includes photos of young people taking pedicabs to their evening destinations.
- Flexible, "Grow as the Industry Grows" policies implemented by the City: Because the City of Austin has taken the "trial and error" approach to regulating pedicabs, it has formulated a program that suits the City best. The City has been able to put together a program framework that suits the nature of the pedicab market in Austin by learning from experimentation, including learning from practices that did not work.
- Increase in downtown youth population, downtown residential development, and expectations for the launch of light rail service: An increase in younger residents living in downtown, expansion of urban high-density development downtown, and the impending start of light rail service have contributed to the success of pedicabs. As the demand for cheap transportation to nearby destinations that may seem daunting to walk to, but too close to drive to, increases, so does the success of pedicabs, which offer a cheap and accessible way to get around town.

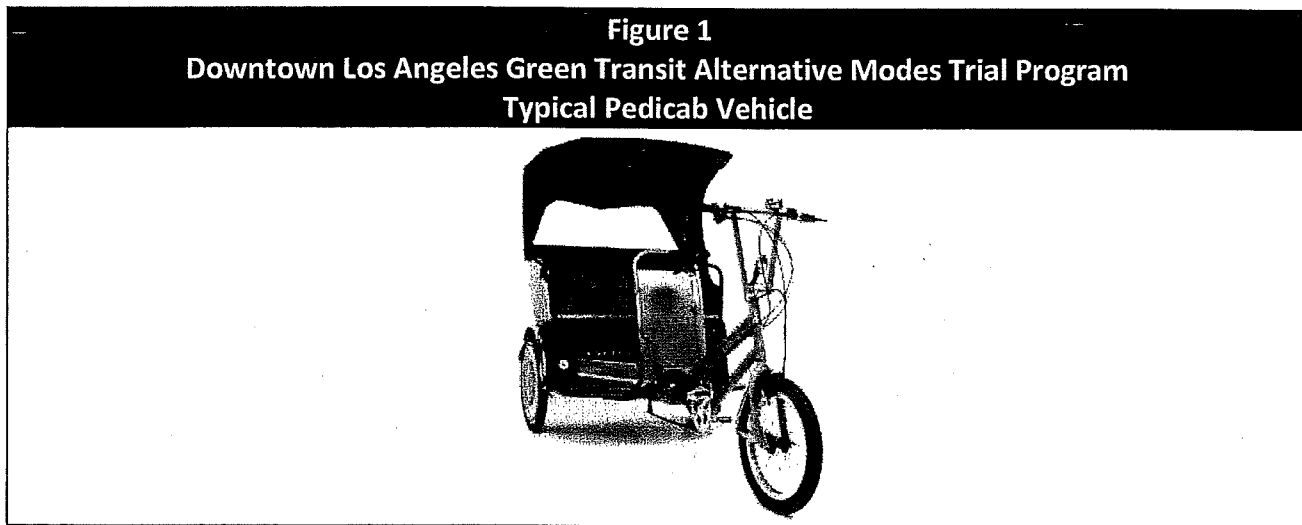
Obstacles

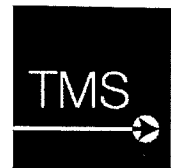
- Drunk drivers and passengers: Safety concerns have increased with the growth in pedicab business during late night hours, including vehicles driven by drunk motorists striking pedicabs and dangers of unruly drunk pedicab passengers.
- 1. ▪ Cost of operations: Many smaller pedicab operators ceased operation as a result of the City's \$300,000 General Commercial Liability insurance coverage requirement. Regulators wanted pedicabs to have liability coverage similar to that of taxi cabs in order to ensure that operators would be financially responsible in the event of accidents causing personal or property damage. Regulators are also looking into increasing the requirement to \$1 million in coverage, which may become an obstacle to even more operators.

- **Limitation on vehicle permits:** Many pedicab drivers have voiced complaints to the City of Austin to limit the number of vehicle permits issued in the City in order to reduce competition for fares in high-density areas. The City of Austin is weary of doing so due to their policy on “allowing the market to determine competition.”
- **Enforcement of traffic laws:** Many pedicabs have disobeyed traffic laws (i.e. stopping at stop signs, signaling when turning, etc.) due to the limited number of law enforcement on streets. Because pedicabs and bicyclists alike do not think that traffic laws apply to non-motorized vehicles, there has been an increase in incidents of pedicab operators not obeying traffic laws.

Operator and Vehicles

There are nine registered Pedicab operators in Austin. A common vehicle type is shown in **Figure 1**.





Phoenix

The City of Phoenix has urban development, roadway network, and lifestyle characteristics similar to Los Angeles, with a high proportion of Phoenicians commuting into the city for work (more than two thirds), much like Los Angelinos.² One of the fastest growing cities in the world, Phoenix faces transportation challenges that are also similar to Los Angeles, as the City increases development in its downtown. Phoenix plans for an increase in pedestrians as a result of the expansion of its Convention Center and the addition of three 1,000+ room hotels. The City of Phoenix hopes to use pedicabs to support movement of downtown users for events and activities when pedestrian traffic is expected to be at peak demand, rather than looking to have downtown visitors use motor vehicles to move about. The City intends to extend the pedicab service as downtown residential and hotel development grows.

Similar to the locations of Los Angeles, Staples Center and Nokia Center, Arizona's Chase Field and U.S. Airways Center are primary sporting venues situated within feet of one another. The presence of event attendees entering and leaving these venues has become a large market for pedicabs in Phoenix. Comparable market conditions in the vicinity of the Staples and Nokia centers could offer similar opportunities for pedicabs.

The City of Phoenix has had pedicabs running for the past seven years in the downtown area; however, they were unregulated until this year. The City commenced regulation of pedicabs in order to ensure that those in business were safe for passengers to use. Additionally, the City's desires to promote using green modes in downtown Phoenix during days of high traffic volume required that the City could stand behind, promote, and advertise a safe and fool-proof method for getting around the City. Therefore, regulations were put in place as a means to assure that the City could endorse a green vehicle for mobility around town and ensure that the City was promoting a *safe* mode of transportation.

Operations and Regulations

The City of Phoenix initiated its effort to regulate pedicabs in August 2008 by adopting many of the same policies found in New York and Austin. These regulations are found in **Appendix B**. Provisions of the ordinance include:

- Pedicabs must have lights, brakes, mirrors, and pass an inspection. Pedicabs must be kept in good working order and meet appearance standards, such as no rust or ripped upholstery. Pedicabs are registered a sticker and are able to operate upon successful passing of an inspection. Design specifications can be found in **Appendix B**.

² Brookings Institution, "Phoenix in Focus: A Profile from Census 2000," November 2003



- It is unlawful for pedicab operators to charge any fare not agreed upon with the customer in advance of a ride or demand a fare from a passenger after agreeing to provide the service for gratuity only.
- Proof of \$1 million liability (General Commercial Liability or Pedicab insurance) is required.
- A valid United States driver's license, proof of identification for a background check, a demonstrated knowledge of and respect for vehicular operating rules, and display of a City-issued badge are all required.³
- Civil sanctions of \$130 to \$2,500 and in some cases criminal charges (Class 1 misdemeanor) will be mandated for breaking these amendments or any other laws on driving or operating a chauffeured vehicle.
- Pedicabs are allowed to operate on sidewalks only for drop-off and pick-ups of passengers. Vehicles with electric-assisted operation are also permitted except in areas or on days when streets are closed to traffic for pedestrian foot traffic. Pedicabs are also permitted to pick-up passengers upon request (i.e., when hailed) and are not required to designate passenger loading/unloading areas, but must pick-up and drop-off passengers in a safe area and in a safe manner.

Operators and Vehicles

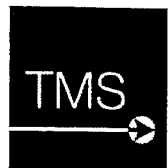
The two pedicab companies that operate in Phoenix utilize traditional Pedicab vehicles that have been proven safe, appealing, and appropriate for both sight-seeing and point-to-point movement.

Success Factors

- Effective and strategic marketing of pedicabs: The City of Phoenix viewed pedicabs as an integral element of moving people at its biggest crowd-drawing events, and even promoted pedicabs for tours and shuttles at events. One pedicab company has focused its marketing on events and has effectively informed companies in tourism fields about the advertising and outreach potential pedicabs have in being able to pinpoint events that draw large crowds and provide wide exposure for products and services.⁴
- Youthful population's association with the existing "Pedicab Culture": The most support for utilizing pedicabs comes from younger residents versus visitors. The student population at

³ Licensing duties will shift from the Police Department to the Clerk/Finance Office in January 2009.

⁴ <http://www.pedaltek.com/MarketProfile.html>



Arizona State University supports green initiatives and uses pedicabs on crowd-drawing special occasions. Pedicab operators have created a tight-knit subculture with which they have effectively infiltrated a non-existent market and monopolized on it. Taking advantage of a growing city, downtown redevelopment and expansions, and new residential and commercial opportunities, these pedicab operators have created a lucrative business for themselves.

- Sporting arenas downtown: Because Phoenix has a number of sporting venues downtown, as well as a huge fan base for baseball and basketball, the crowd potential coming into downtown on game-days is high, increasing the opportunity for pedicabs serving as a shuttle and means for getting around the congestion.
- Future transit and rail, new hotels, and increased residential expansion downtown: Like Austin, the prospect of making Phoenix a more transit-friendly city may increase the market for pedicabs taking passengers from train station to a destination. The addition of three large hotels in the downtown area, the Convention Center expansion, and new residential high-density developments have all contributed to further activity in downtown Phoenix. The increase has resulted in bars and restaurants extending their hours of service, and has brought in further opportunities for pedicabs, as taxi cabs do not circulate downtown for fares due to low volumes. Essentially, pedicabs have cornered the market downtown for pedestrian short-distance-trip transport.

Obstacles

- Mixing of pedicabs and pedestrians: There are no standards for where pedicabs can operate (i.e., street, sidewalks, within a certain number of feet from public areas of congregation, etc.). Concerns have been expressed regarding pedestrian injuries and pedicab accidents increasing in busy venues, like fairs and sporting events, where large numbers of pedestrians will walk a considerable distance.⁵
- Driver Characteristics: The City is temporarily unable to prevent convicted felons or operators of questionable criminal background from operating a pedicab. The City hopes to have this issue resolved in six months, when the responsibility of regulating and monitoring pedicabs is turned over from the Police Department to the Clerk/Finance Department.

⁵ The Arizona Republic, July 7, 2008



Denver

Downtown Denver has become a high density center for pedestrian activity. The City's downtown encompasses a mile-long pedestrian promenade lined with outdoor cafes, three new professional sports stadiums, 300 restaurants, a restored historic Lower Downtown district (LoDo), museums, galleries, retail, a performing arts center, and three college campuses. Approximately 110,000 people work in Downtown Denver and over 10,000 people live in the CBD, LoDo, and the Central Platte Valley. High-density, frequent foot-traffic, and multiple activity centers make downtown Denver a profitable location for pedicabs to operate.

Operations and Regulations

The City of Denver classifies pedicabs in the same manner as other vehicles that offer services at low speeds, such as ice cream vendors and "junk wagons". The City of Denver defines a pedal cab as "a multiwheeled, hooded, or unhooded vehicle that is propelled by human power, is used in the transport of passengers, and is available for hire on the public streets." The City's regulations that cover "pedal cabs" are provided on the Denver pedicab permit application, provided in **Appendix C**.

Pedicabs are required to:

- Operate only from 6:00 pm to 2:30 am Monday through Friday, and all day Saturday and Sunday, throughout downtown Denver
- Not travel through pedestrian malls or parking lots of event venues
- Be operated by a person who is licensed and has passed a criminal background check. Drivers must pass a background check and licensing exam⁶
- Have insurance with up to \$300,000 in General Commercial Liability insurance

Operator and Vehicles

Pedicab operations began with many small pedicab companies. Many of these smaller companies have become part of a larger operator to reduce costs and to be a part of a more secure entity.

A local Pedicab operator manufactures their own series of pedicabs.

⁶ <http://www.denvergov.com/tabid/379912/Default.aspx>



Success Factors

- Having a champion: Being able to associate a product or service with a single entity stimulates consumer recall and is an effective marketing tactic. The effectiveness of having a “pedicab champion,” especially an individual who actively supports pedicabs in the media and offers financial or political support for green transportation or downtown development, tends to enhance the success of pedicab use.

- Support from business and development communities: Strong support of pedicabs by civic organizations in Denver helps convince a potential rider that taking a pedicab is a viable way to get around town. For example, the Downtown Denver Partnership, a local Business Improvement District or BID, supports the ‘green value’ and ambiance that the pedicabs offer in Denver. The City’s tourism website posts riding in a pedicab as a “Thing to Do in Denver” to get visitors to use pedicabs instead of vehicles that generate emissions. Planners in Denver also see opportunity for growth as hotel density increases downtown and the convention center expands.⁷

- “Share the Road” license plate: “Share the Road” license plate legislation to be enacted will generate funds to promote bicycle safety on Colorado’s roads⁸ and promote bicycling as a viable means of getting around Denver.

Obstacles

Pedicab accidents, like the recent pedicab crash in Seattle, tend to temporarily stimulate aversions to riding in pedicabs. The recent Seattle accident has stimulated interest in more closely managing pedicabs during the Denver Democratic National Convention in August 2008.

There have been very few concerns regarding pedicab operations in Denver. The City has integrated pedicabs into the City’s transportation system to the point where taking a pedicab is as commonplace as taking a taxi, bus, or riding a bike to a destination downtown.

⁷ Denver Business Journal, March 19, 2004

⁸ <http://bicyclecolo.org/page.cfm?PageID=764>



San Diego

Pedicabs have become a part of San Diego's downtown transportation system since their start in 2000. Passage of regulations by the City of San Diego, including designation of Restricted Pedicab Zones (i.e., the Downtown Zone and the Petco Ballpark District), provides the means to control and regulate pedicab operations.⁹ These areas were targeted for better management of pedicabs by the City, as they experienced high volumes of pedestrian traffic drawn to downtown restaurants, bars, hotels, and transit stops, as well as the movement of walkers during events.

Operations and Regulations

The City of San Diego's regulations have served as models for many requirements developed in other cities, including Austin and Phoenix. Key provisions of San Diego's ordinance include:

- The City of San Diego established six zones for pedicab operation. While all zones are regulated by the City of San Diego, each zone has its own individual restrictions and operating requirements that pedicab operators must abide by within that zone. Pedicabs must display zone decals and only operate within the designated zone assigned to the pedicab upon permit issuance.
- Passenger fare schedules must be posted and pedicab operating permits issued by the City must be worn at all times of operation.
- Pedicabs can only operate an approved and inspected vehicle with functioning lights and brakes.
- Vehicles must only operate on streets with posted speed limits of less than 25 mph, unless in a designated bike lane on roadways exceeding 25 mph. Operators must not operate on promenades or on sidewalks.
- Operators must provide valid proof of General Commercial Liability coverage or business auto coverage (with pedicab endorsement) with financial responsibility of no less than \$1 million.
- Operators must obey parking laws and park only in designated pedicab parking zones. It is illegal for pedicabs to park in metered spaces and failure to comply with Restricted Zone regulations can result in pedicab impoundment or revocation of permits. **Figure 2** shows a pedicab-stand where operators wait to pick up passengers and safely park their pedicabs.

⁹ City of San Diego Ordinance 18701 N.S.